



DEPARTMENT OF HUMAN RESOURCES

CITY OF CHICAGO

July 9, 2019

Matt Chapman
Free Our Info, NFP
MuckRock News
DEPT MR 60482
411A Highland Ave
Somerville, MA 02144-2516
60482-96817687@requests.muckrock.com

Dear Mr. Chapman:

This letter is in response to your Freedom of Information Act ("FOIA") request received by the Department of Human Resources ("DHR") on September 10, 2018 seeking:

- *A copy of all intergovernmental agreements.*

Your request for "all intergovernmental agreements" is burdensome. Section 3(g) of FOIA provides that "[r]equests calling for all records falling within a category shall be complied with unless compliance with the request would be unduly burdensome for the complying public body and there is no way to narrow the request and the burden on the public body outweighs the public interest in the information." 5 ILCS 140/3(g). In order to comply with your request as written, this department would need to identify, procure and review an unknown quantity of records. Without direction from you as to a timeframe, such as the most recent intergovernmental agreements, such an endeavor would pose an undue burden on the operations of this department. As the Illinois Attorney General's Public Access Counselor has noted (see 2017 PAC 47756, issued June 20, 2017), Illinois courts have held, "[a] request to inspect or copy must reasonably identify a public record[.]" *Chicago Tribune Co. v. Dept. of Financial and Professional Regulation*, 2014 IL App (4th) 130427, par. 33. A FOIA request "reasonably describes records if 'the agency is able to determine precisely what records are being requested.'" *Kowalczyk v. Dept. of Justice*, 73 F.3d 386, 388 (D.C. Cir. 1996) (quoting *Yeager v. Drug Enforcement Admin.*, 678 F.2d 315, 326 (D.C. Cir. 1982)).

It is necessary that your FOIA request be narrowed and clarified. If you would like assistance in narrowing your request, please contact me, and I will assist you. Otherwise, for the reasons provided above, the DHR is unable to respond to your FOIA request as currently drafted.

If you agree to narrow your request, you must submit a revised written request to my attention. We will take no further action or send you any further correspondence unless and until your current request is narrowed in writing.

In the event that we do not receive a narrowed request and your current FOIA request is therefore denied, you have the right to have a denial reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General, 500 S. 2nd Street, Springfield, Illinois 62706, (877) 299-3642. You also have the right to seek judicial review of your denial by filing a lawsuit in Cook County Circuit Court.

Sincerely,

A handwritten signature in blue ink that reads "Michelle Levar". The signature is written in a cursive, flowing style.

Michelle Levar
Policy Analyst
City of Chicago Department of Human Resources